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MEMO ENDORSED

November 10, 2021

VIA ECF

The Honorable Colleen McMahon  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, N.Y. 10007

11/12/2021  
you are released  


Re: *United States v. Juan Graciano* (20 CR 130) (CM)


Dear Judge McMahon:

We are counsel of record for Juan Graciano in the above-referenced matter. We write to respectfully request to be relieved as counsel in this matter.

On February 24, 2020, we were appointed by Your Honor pursuant to the Criminal Justice Act to represent Mr. Graciano, who was charged in connection with a narcotics conspiracy. He was released on bail on or about February 24, 2020. Subsequently, Mr. Graciano failed to appear at his arraignment and a court conference in July 2020. We later learned from the Government that Mr. Graciano had fled the United States. On August 31, 2021, the Government advised us that Mr. Graciano had been apprehended in the Dominican Republic. Mr. Graciano has not attempted to contact us since his apprehension. Without violating the attorney-client privilege, Mr. Graciano's flight, along with our difficulty in reaching Mr. Graciano prior to that, represents a significant deterioration of the attorney-client relationship, and also creates a danger that we may potentially have to serve as fact witnesses in Mr. Graciano's case, which could present a substantial conflict. Moreover, Mr. Graciano has already been appointed new counsel, Richard Lind, Esq.

For the foregoing reasons, we respectfully request that we be relieved as counsel in this matter. We have consulted with the Government, which does not object to this application.

Respectfully submitted,

  
Glen G. McGorty

cc: AUSA Daniel Nessim  
AUSA Peter Davis  
Richard Lind, Esq.

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